

JOURNAL OF THE CITY COUNCIL OF PHILADELPHIA



Thursday, April 14, 2011

PRESENT: 17 - Councilmembers Blackwell, Clarke, Council President Verna, DiCiccio, Goode, Green, Greenlee, Jones, Kelly, Kenney, Krajewski, Miller, O'Neill, Reynolds Brown, Rizzo, Sanchez and Tasco

Council met, a quorum being present.

Father Joseph Kelley of St. Monica's Church was introduced and offered an appropriate prayer.

COUNCILMEMBER TASCO MOVED TO APPROVE THE JOURNAL

of the meeting of April 7, 2011.

THE MOTION WAS DULY SECONDED AND AGREED TO.

COMMUNICATIONS

The Sergeant-at-Arms presented messages from the Mayor as follows:

- Transmitting a message advising Council that Bill Nos. 1006010, 100611, 100844, 110074, 11075, 11076, 111077, 110078, 11079, 11080, 110111-A, 110112, 110113, 110114, 110115, 110117, 110119, 110120, 110146, 110147, 110148, 110149, 110150, 110151, 110152, 110153, 110154, 110155 and 110156, which were passed by Council on March 31, 2011, were signed by the Mayor on April 13, 2011. (File No. 110288)

THE COMMUNICATION WAS READ.

- Transmitting a bill authorizing the revision of lines and grades on a portion of City Plan No. 121 by striking from the City Plan and vacating the legally open portions of the westerly twelve feet wide portion of Thirty-Second Street from Glenwood Avenue to a point approximately twelve feet south of the southerly side of Master Street produced and reserving and placing on the City Plan a right of way for drainage purposes and water main purposes and a right of way for drainage purposes within portions of the portion of Thirty-Second Street being stricken and authorizing acceptance of the grant to the City of the said rights of

JOURNAL OF THE CITY COUNCIL OF PHILADELPHIA

way; all under certain terms and conditions, accompanied by an explanatory letter from the Streets Commissioner. (File No. 110289)

THE COMMUNICATION WAS READ.

- Transmitting a bill authorizing the revision of lines and grades on a portion of City Plan No. 278 by striking from the City Plan and vacating Delaware Avenue from Robbins Street to Levick Street, reserving and placing on the City Plan a right of way for sewer and drainage purposes, water main purposes, and public utility purposes within the lines of Delaware Avenue being stricken, placing on the City Plan a right of way reserved for drainage purposes extending from the southeasterly side of Delaware Avenue, southwest of Levick Street, southeastwardly to the Pierhead Line of the Delaware River, and relocating the curblines of Levick Street, from Barnett and Elbridge Streets to Delaware Avenue, thereby increasing the cartway width of said Levick Street; all under certain terms and conditions, accompanied by an explanatory letter from the Streets Commissioner. (File No. 110290)

THE COMMUNICATION WAS READ.

INTRODUCTION OF BILLS AND RESOLUTIONS

Councilmember Kenney Introduced and Referred the following Bill, Sponsored by Councilmembers Kenney and DiCicco:

- Bill No. 110272:** An Ordinance Amending Section 11-505 of The Philadelphia Code, entitled "Sidewalk Paving and Other Improvements by Property Owners," by providing further specifications for curb and sidewalk paving, under certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE ON STREETS AND SERVICES.

Councilmember Kenney Introduced and Ordered Placed On Next Week's Final Passage Calendar the following Resolution, Sponsored by Councilmembers Kenney and Reynolds Brown:

- Resolution No. 110277:** Resolution Recognizing Martha Chamberlain, one of the Pennsylvania Ballet's principal dancers, on the occasion of her retirement after 21 years with the Company.

Councilmember Blackwell Introduced and Ordered Placed On Next Week's Final Passage Calendar the following Resolution, Sponsored by Councilmembers Blackwell, Green and Jones:

- Resolution No. 110278:** Resolution Calling on the Governor of Pennsylvania,

JOURNAL OF THE CITY COUNCIL OF PHILADELPHIA

the State House of Representatives and the State Senate to continue to fund full day Kindergarten.

Councilmember Greenlee Introduced and Ordered Placed On Next Week's Final Passage Calendar the following Resolution, Sponsored by Councilmember Greenlee:

- 📄 **Resolution No. 110279:** Resolution Honoring the Life and Recognizing the scientific accomplishments of Philadelphia Resident Baruch Blumberg, Nobel Prize Winner.

Councilmember Krajewski Introduced and Referred the following Bill, Sponsored by Councilmember Krajewski:

- 📄 **Bill No. 110273:** An Ordinance Authorizing the revision of lines and grades on a portion of City Plan No. 278 by striking from the City Plan and vacating Delaware Avenue from Robbins Street to Levick Street, reserving and placing on the City Plan a right-of-way for sewer and drainage purposes, water main purposes, and public utility purposes within the lines of Delaware Avenue being stricken, placing on the City Plan a right-of-way reserved for drainage purposes extending from the southeasterly side of Delaware Avenue, southwest of Levick Street, southeastwardly to the Pierhead Line of the Delaware River, and relocating the curblines of Levick Street, from Barnett and Elbridge Streets to Delaware Avenue, thereby increasing the cartway width of said Levick Street; all under certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE ON STREETS AND SERVICES.

Councilmember Miller Introduced and Ordered Placed On Next Week's Final Passage Calendar the following Resolution, Sponsored by Councilmember Miller:

- 📄 **Resolution No. 110280:** Resolution Proclaiming The Week of April 10th 2011 as “National Crime Victims' Rights Week.”

Councilmember Miller Introduced and Ordered Placed On Next Week's Final Passage Calendar the following Resolution, Sponsored by Councilmembers Miller and Sanchez:

- 📄 **Resolution No. 110281:** Resolution Proclaiming the Month of May 2011 as “Building Safety Month.”

Councilmember Jones Introduced and Referred the following Bill, Sponsored by Councilmembers Jones, Goode, Blackwell, Reynolds Brown and Clarke:

- 📄 **Bill No. 110274:** An Ordinance Amending Section 21-1702 of The Philadelphia Code, entitled “Notice of Certain Procurement Contracts Available for Bid,” by adding new requirements for providing notices of certain sealed bids to

JOURNAL OF THE CITY COUNCIL OF PHILADELPHIA

community-based newspapers, registered community development corporations and nonprofit civic associations; all under certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE ON LAW AND GOVERNMENT.

Councilmember Jones Introduced and Ordered Placed On Next Week's Final Passage Calendar the following Resolution, Sponsored by Councilmember Jones:

- ☐ **Resolution No. 110282:** Resolution Honoring and congratulating the Work to Ride Polo Program and its members on winning the National High School Polo Championship on March 13, 2011.

Councilmember Jones Introduced and Ordered Placed On Next Week's Final Passage Calendar the following Resolution, Sponsored by Councilmember Jones:

- ☐ **Resolution No. 110283:** Resolution Authorizing the Commissioner of Public Property to execute and deliver to the Redevelopment Authority of the City of Philadelphia, without consideration, deeds conveying conditional fee simple title to certain City-owned lots or pieces of ground with the buildings and improvements thereon, situate in the Fourth Ward of the City of Philadelphia, pursuant to Chapter 16-400 of The Philadelphia Code and authorizing the Redevelopment Authority of the City of Philadelphia to dispose of such properties for rehabilitation and/or improvement in accordance with the terms of Chapter 16-400 of The Philadelphia Code.
- ☐ **Resolution No. 110284:** Resolution Celebrating May as Older Americans Month and designating May 9, 2011 as "Aging in a New Age" Day to recognize the diversity and contributions that Philadelphians in their second half of life have made and continue to make to our culture, economy and the character of our communities.

Councilmember Jones Introduced and Ordered Placed On Next Week's Final Passage Calendar the following Resolution, Sponsored by Councilmember Jones:

- ☐ **Resolution No. 110285:** Resolution Honoring and congratulating Vanessa Morris, Kayla Williams, Lakita Williams, Devon Walker, Haru'n Jones, and Jolyessa Lewis for winning the Master Charter School's Shoemaker Campus' first Annual Black History Month Oratorical Contest on February 25, 2011.

Councilmember Reynolds Brown Introduced and Ordered Placed On Next Week's Final Passage Calendar the following Resolution, Sponsored by Councilmember Reynolds Brown:

- ☐ **Resolution No. 110286:** Resolution Recognizing April 22, 2011 as Earth Day in Philadelphia.

JOURNAL OF THE CITY COUNCIL OF PHILADELPHIA

Councilmember DiCicco Introduced and Referred the following Bill, Sponsored by Councilmember DiCicco:

- 📄 **Bill No. 110275:** An Ordinance Amending Section 14-1402 of The Philadelphia Code, entitled “Parking in Residential Districts,” and Section 14-1607 of The Philadelphia Code, entitled “Special Controls for the Center City Commercial Area,” by adding to both Sections special provisions relating to the area bounded by Walnut Street, Twelfth Street, Thirteenth Street, and Sansom Street, all under certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE ON RULES.

Councilmember Clarke Introduced and Referred the following Bill, Sponsored by Councilmember Clarke:

- 📄 **Bill No. 110276:** An Ordinance Authorizing the revision of lines and grades on a portion of City Plan No. 121 by striking from the City Plan and vacating the legally open portions of the westerly twelve feet wide portion of Thirty-Second Street from Glenwood Avenue to a point approximately twelve feet south of the southerly side of Master Street produced and reserving and placing on the City Plan a right-of-way for drainage purposes and water main purposes and a right-of-way for drainage purposes within portions of the portion of Thirty-Second Street being stricken and authorizing acceptance of the grant to the City of the said rights-of-way; all under certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE ON STREETS AND SERVICES.

Councilmember Clarke Introduced and Ordered Placed On Next Week's Final Passage Calendar the following Resolution, Sponsored by Councilmember Clarke:

- 📄 **Resolution No. 110287:** Resolution Recognizing and honoring Darrell Scott for his heroism and calm responsible action in rescuing his family from their burning home.

REPORTS FROM COMMITTEES

COMMITTEE OF THE WHOLE

- 📄 **Resolution No. 110196:** Resolution Confirming the appointment of E. Mitchell Swann as a member of the Board of the Philadelphia Energy Authority, to serve in the term ending January 1, 2016.

THE RESOLUTION WAS ORDERED PLACED ON FINAL PASSAGE CALENDAR FOR NEXT MEETING..

JOURNAL OF THE CITY COUNCIL OF PHILADELPHIA

☐ **Resolution No. 110197:** Resolution Confirming the appointment of Christopher Lewis as a member of the Board of the Philadelphia Energy Authority, to serve in the term ending January 1, 2013.

THE RESOLUTION WAS ORDERED PLACED ON FINAL PASSAGE CALENDAR FOR NEXT MEETING..

☐ **Resolution No. 110198:** Resolution Confirming the appointment of Barbara Adams as a member of the Board of the Philadelphia Energy Authority, to serve in the term ending January 1, 2015.

THE RESOLUTION WAS ORDERED PLACED ON FINAL PASSAGE CALENDAR FOR NEXT MEETING..

☐ **Resolution No. 110199:** Resolution Confirming the appointment of Ken Ogawa as a member of the Board of the Philadelphia Energy Authority, to serve in the term ending January 1, 2012.

THE RESOLUTION WAS ORDERED PLACED ON FINAL PASSAGE CALENDAR FOR NEXT MEETING..

☐ **Resolution No. 110237:** Resolution Confirming the appointment of Emily Schiller as a member of the Board of the Philadelphia Energy Authority, to serve in the term ending January 1, 2014.

THE RESOLUTION WAS ORDERED PLACED ON FINAL PASSAGE CALENDAR FOR NEXT MEETING..

COMMITTEE ON LAW AND GOVERNMENT

☐ **Bill No. 110210-A, as amended:** An Ordinance Amending Chapter 10-100 of The Philadelphia Code, entitled “Animals,” to provide for mandatory annual licensing of dogs and the creation of dog licensing agents to facilitate the issuance of such licenses, to provide for minimum standards for the care and control of dogs and cats, including their maintenance in kennels operating in the City, to provide for sterilization of dogs and cats, to provide for the confiscation and protection of dogs used in dog fighting, and to provide for the administration and enforcement of laws relating to animals, all under certain terms and conditions.

COUNCILMEMBER GREENLEE MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 110210-A.

THE MOTION WAS DULY SECONDED AND AGREED TO.

THE BILL WAS ORDERED PLACED ON THIS DAY’S FIRST READING CALENDAR.

CONSIDERATION OF THE CALENDAR

BILL ON FIRST READING

- ☐ **Bill No. 110210-A, as amended:** An Ordinance Amending Chapter 10-100 of The Philadelphia Code, entitled "Animals," to provide for mandatory annual licensing of dogs and the creation of dog licensing agents to facilitate the issuance of such licenses, to provide for minimum standards for the care and control of dogs and cats, including their maintenance in kennels operating in the City, to provide for sterilization of dogs and cats, to provide for the confiscation and protection of dogs used in dog fighting, and to provide for the administration and enforcement of laws relating to animals, all under certain terms and conditions.

THE BILL WAS ORDERED PLACED ON NEXT WEEK'S SECOND READING CALENDAR.

PUBLIC COMMENT

The following persons provided public comment on April 14, 2011:

Name and Comment Subject

Fred Maura (110002-A)

Myles Gordon (110002-A)

Fred Fisher (100552-AA)

See Notes of Testimony for full comment.

BILLS AND RESOLUTIONS ON FINAL PASSAGE

- ☐ **Resolution No. 110262:** Resolution Honoring and recognizing Imhotep Institute Charter School as 2011 PIAA - Pennsylvania Interscholastic Athletic Association State Boys Basketball Champions.

THE RESOLUTION WAS ADOPTED.


- ☐ **Resolution No. 110263:** Resolution Also naming the 2700 block of North Bonsall Street as "Joan Ray Way."

THE RESOLUTION WAS ADOPTED.

- ☐ **Resolution No. 110269:** Resolution Recognizing and Congratulating the Energy Coordinating Agency and the John S. and James L. Knight Green Jobs Training Center on the successful graduation of their 1000th trainee.

JOURNAL OF THE CITY COUNCIL OF PHILADELPHIA

THE RESOLUTION WAS ADOPTED.

 **Bill No. 100552-AA, as amended:** An Ordinance Amending the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by Race Street, 4th Street, 5th Street and Florist Street; and by amending Section 14-303 of The Philadelphia Code, entitled “C-3' Commercial District,” all under certain terms and conditions.


THE BILL WAS READ.

THE BILL WAS PASSED.

The Ayes and Nays were as follows:

Ayes: 17 - Councilmembers Blackwell, Clarke, Council President Verna, DiCicco, Goode, Green, Greenlee, Jones, Kelly, Kenney, Krajewski, Miller, O'Neill, Reynolds Brown, Rizzo, Sanchez and Tasco

Nays: 0


 **Resolution No. 100314-A, as amended:** Resolution Proposing an amendment to the Philadelphia Home Rule Charter providing for a mandatory Budget Stabilization Reserve, and providing for the submission of the amendment to the electors of Philadelphia.

THE RESOLUTION WAS ADOPTED.

The Ayes and Nays were as follows:

Ayes: 17 - Councilmembers Blackwell, Clarke, Council President Verna, DiCicco, Goode, Green, Greenlee, Jones, Kelly, Kenney, Krajewski, Miller, O'Neill, Reynolds Brown, Rizzo, Sanchez and Tasco

Nays: 0

 **Bill No. 100303, as amended:** An Ordinance Providing for the submission to the qualified electors of the City of Philadelphia of the proposal set forth in a Resolution approved by Council proposing an amendment of The Philadelphia Home Rule Charter providing for a mandatory Budget Stabilization Reserve; and authorizing the appropriate officers to publish notice and to make arrangements for the special election.

THE BILL WAS READ.

THE BILL WAS PASSED.

The Ayes and Nays were as follows:

Ayes: 17 - Councilmembers Blackwell, Clarke, Council President Verna, DiCicco, Goode, Green, Greenlee, Jones, Kelly, Kenney, Krajewski, Miller, O'Neill, Reynolds Brown, Rizzo, Sanchez and Tasco

JOURNAL OF THE CITY COUNCIL OF PHILADELPHIA

Nays: 0

☐ **Bill No. 110002-A, as amended:** An Ordinance Amending Chapter 15-100 of The Philadelphia Code, entitled “Parks,” by prohibiting the transfer or conversion of outdoor public park and recreation land in the City to other uses or to third parties unless certain procedures and requirements are met.

THE BILL WAS READ.

DISCUSSION: COUNCILMEMBER BROWN, BILL NO. 110002-A - (SEE NOTES OF TESTIMONY).

☐ **Bill No. 110002-A, as amended:** An Ordinance Amending Chapter 15-100 of The Philadelphia Code, entitled “Parks,” by prohibiting the transfer or conversion of outdoor public park and recreation land in the City to other uses or to third parties unless certain procedures and requirements are met.

THE BILL WAS PASSED.

The Ayes and Nays were as follows:

Nays: 0

Ayes: 17 - Councilmembers Blackwell, Clarke, Council President Verna, DiCicco, Goode, Green, Greenlee, Jones, Kelly, Kenney, Krajewski, Miller, O'Neill, Reynolds Brown, Rizzo, Sanchez and Tasco

☐ **Bill No. 100715:** An Ordinance Authorizing Mike Scotese, owner of Grey Lodge Pub, to construct, own and maintain an open-air sidewalk café at 6235 Frankford Avenue, under certain terms and conditions.

THE BILL WAS READ.

THE BILL WAS PASSED.

The Ayes and Nays were as follows:

Ayes: 17 - Councilmembers Blackwell, Clarke, Council President Verna, DiCicco, Goode, Green, Greenlee, Jones, Kelly, Kenney, Krajewski, Miller, O'Neill, Reynolds Brown, Rizzo, Sanchez and Tasco

Nays: 0

**BILLS AND RESOLUTIONS ON SECOND READING AND FINAL
PASSAGE**

☐ **Bill No. 110072:** An Ordinance Amending Section 20-606 of The Philadelphia Code, entitled “Board of Ethics,” by further providing for administrative adjudication, under certain terms and conditions.

THE BILL WAS READ.

JOURNAL OF THE CITY COUNCIL OF PHILADELPHIA

THE BILL WAS PASSED.

The Ayes and Nays were as follows:

Nays: 0

Ayes: 17 - Councilmembers Blackwell, Clarke, Council President Verna, DiCicco, Goode, Green, Greenlee, Jones, Kelly, Kenney, Krajewski, Miller, O'Neill, Reynolds Brown, Rizzo, Sanchez and Tasco

Bill No. 110073: An Ordinance Amending Chapter 20-1000 of The Philadelphia Code, entitled “Political Contributions and Expenditures,” by clarifying that no person shall make excess contributions to candidates through another political committee and by revising the form of notice that the Board of Ethics shall provide of the contribution limits, all under certain terms and conditions.

THE BILL WAS READ.

THE BILL WAS PASSED.

The Ayes and Nays were as follows:

Nays: 0

Ayes: 17 - Councilmembers Blackwell, Clarke, Council President Verna, DiCicco, Goode, Green, Greenlee, Jones, Kelly, Kenney, Krajewski, Miller, O'Neill, Reynolds Brown, Rizzo, Sanchez and Tasco

Bill No. 110083: An Ordinance Amending Section 14-1607 of The Philadelphia Code, entitled “Special District Controls for the Center City Commercial Area,” and Section 14-1605 of The Philadelphia Code, entitled “Regulated Uses,” and Section 14-305 of The Philadelphia Code, entitled “‘C-4’ Commercial and ‘C-5’ Commercial Districts,” by adding to all Sections special provisions relating to the area bounded by Chestnut Street, 12th Street, 13th Street, and Sansom Street, all under certain terms and conditions.

THE BILL WAS READ.

THE BILL WAS PASSED.

The Ayes and Nays were as follows:

Ayes: 17 - Councilmembers Blackwell, Clarke, Council President Verna, DiCicco, Goode, Green, Greenlee, Jones, Kelly, Kenney, Krajewski, Miller, O'Neill, Reynolds Brown, Rizzo, Sanchez and Tasco

Nays: 0

SPEECHES

JOURNAL OF THE CITY COUNCIL OF PHILADELPHIA

COUNCILMEMBER TASCO, MILLER AND JONES (SEE NOTES OF TESTIMONY)

COUNCILMEMBER CLARKE MOVED TO ADJOURN

THE MOTION WAS DULY SECONDED AND AGREED TO.